

OFFICE OF THE MISSISSIPPI SECRETARY OF STATE
REGULATION AND ENFORCEMENT

IN THE MATTER OF:)	ADMINISTRATIVE
CYPRESS GARDENS CEMETERY)	PROCEEDING NUMBER:
CYPRESS GARDENS, INC.)	L-11-0123
MRS. BETTY RAMSEY)	
5152 CANTON HEIGHTS DRIVE)	
JACKSON, MS 39211)	
)	
)	

CONSENT AGREEMENT

The Regulation and Enforcement Division (Division) of the Secretary of State's Office and Cypress Gardens Cemetery (Cypress Gardens), agree to and enter into the following consent agreement to resolve SOS Administrative Action No. L-11-0123, In the matter of Cypress Gardens Cemetery, to wit:

1. Prior to August 31, 2011, Cypress Gardens, as trustor, will enter into a trust agreement, approved by the Division, with a trustee. Funds set aside by Cypress Gardens in the Cypress Gardens, Inc., Perpetual Care Cemetery Trust account at State Bank and Trust will be remitted to trust once the fund is established.
2. Cypress Gardens will present documentation to the Secretary of State demonstrating that 15% of ground interment sales from November 1, 2010, to August 31, 2011, have been placed in the perpetual care trust.
3. Cypress Gardens will pay an administrative penalty of One Thousand Dollars and Zero Cents (\$1,000.00) for the violations noted in the Division's examination. The violations are failure to maintain an irrevocable perpetual care cemetery trust and failure to remit fifteen percent (15%) of sales to such trust as required by Mississippi Code Annotated Section 41-43-37(1)(a).
4. On or about December 1, 2011, the Division will conduct an examination of Cypress Gardens to determine compliance with Mississippi's Cemetery Law, Mississippi Code Annotated Section 41-43-31 et seq., between November 1, 2010, and November 30, 2011.
5. As of June 22, 2011, the Division removed its case from its active docket; however, this cause will remain with the Division's inactive docket for enforcement of the terms of this agreement, if needed.

6. Prior to July 8, 2011, the Division will circulate a consent agreement memorializing these terms for signature by the parties' representatives and the hearing officer, the Hon. David W. Dogan, III.

The parties acknowledge that they have read this Consent Agreement in its entirety and fully understand the rights, terms, and obligations of each contained therein and they have been vested with the express authority to enter into this Agreement. The parties further acknowledge that they have not been threatened or otherwise coerced into entering into this Agreement.

Therefore, we acknowledge and agree to the terms and conditions of the foregoing Consent Agreement.

So Agreed, this the 7th day of July, 2011.

Betty Ramsey
CYPRESS GARDENS CEMETERY
Betty Ramsey

James T. Knight
Hon. James T. Knight, MSB No. 4212
Attorney for Cypress Gardens Cemetery
300 Highland Park Cove, Suite C
Ridgeland, MS 39157

OFFICE OF THE SECRETARY OF STATE
Division of Regulation and Enforcement

By: Dave Scott
Dave Scott, MSB No. 8765
Assistant Secretary of State

Acknowledgement of the Parties' Agreement to the Terms Stated Herein,

David W. Dogan, III
HONORABLE DAVID W. DOGAN, III
Hearing Officer

Date: 20 July 2011